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Joseph Ballirano, Esq.

**Building Official**

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**Recording Secretary**

Holli Stott

**JOHNSTON ZONING BOARD OF REVIEW**

100 Irons Avenue, Johnston, Rhode Island 02919

**Tel: 401-231-4000 ext 4068 Fax: 401-231-4181****MINUTES****October 30, 2014**

The Zoning Board of Review held its monthly meeting on the 30th day of October, 2014 at 6:30 p.m., at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI. All persons interested in the following proposals had been requested to be present at this time.

Present: Bernard Frezza, Chairperson, Anthony Piloizzi, Vice-Chairman, Joseph Anzelone, Albert Colannino, Richard Fascia, Thomas Lopardo and Dennis Cardillo. Also present: Joseph Ballirano, Esq., Holli Stott, Recording Secretary, Bernard Nascenzi, Zoning Official and Diane Edson, Stenographer.

Mr. Piloizzi made a motion to approve September's minutes. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Frezza announced that file 2014-44, 1340 Harford Avenue will be continued until next month due to site plan delays.

**A. File 2014-43**

LOCATION: 71 Greenville Avenue

OWNER APPLICANT: Metro Holdings LLC

LOT: AP 17 — Lots 50, 51; 9,608 sq. ft.; B-2 Zone

EXISTING USE: Vacant and Storage garage

PROPOSAL: Business/Retail Office

**Dimensional Variance** petitioned under Article III § 340-9 Table of Dimensional Regulations and § 340-27.2 Landscaping design standards

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
<b>SETBACKS:</b>	REAR YARD	40'	.5'	39.5'
	LEFT SIDE YARD	40'	.85'	39.15'
	RIGHT SIDE YARD	40'	25.66'	14.34'

Mr. Al Russo, attorney for the applicant, and Kevin Gomes, current owner of the property were sworn in and Mr. Russo explained that his client would like to open his surveillance company at this location. Currently he is located on Killingly Street and has been there for over 12 years. Mr. Russo explained that if approved there will be a second floor addition to the existing building. The building will hold his business and extra office spaces for rent. The existing footprint will remain the same. Mr. Gomes explained to the board that he only has three employees and he has two small vans that will be parked in the garage of the building.

Mr. Veltri, surveyor, was sworn in and he explained that there will be one way in and one way out, so that the flow of traffic is not disrupted and that the new structure will look like a typical New England style home.

Andres Hoseman, abutter, was sworn in and he asked Mr. Gomes what the hours of operation will be and Mr. Gomes stated that it will be 6 or 7 am. Mr. Nascenzi expressed that if he wants to start before 7 am then he will have to get special permission from the Town Council. Mr Gomes understood.

Mr. Pilozzi made a motion to grant with the stipulation that the lighting gets final approval from the Building Official and that the applicant gets large signs for enter and exit. Mr. Pilozzi also explained that they wanted to grant a waiver for the arborvitaes along the property line in the middle of the parking lot. Mr. Anzelone seconded. A voice vote was taken; all in favor.

**B. File 2014-04**

LOCATION: 663 Killingly Street  
OWNER: National Development Group, Inc.  
APPLICANT: Cumberland Farms Inc.  
LOT: AP 14 — Lot 11; 36,676 sq. ft.; B-2 Zone  
EXISTING USE: Vacant commercial building  
PROPOSAL: Convenience store with gas station

**\*\*Review of restrictions needed\*\***

Ms. Elizabeth Noonan, attorney for the applicant, was sworn in and she explained to the board that they are in front of the board for review of restrictions only. Ms. Noonan received a complaint regarding deliveries and since then they have arranged that no deliveries will be scheduled between the hours of 11 pm and 6 am. Mr. Frezza had three issues. First is the delivery schedule, which Ms. Noonan addressed, seconded is the parking on Trevor Avenue, which is anybody's parking, not just for Cumberland Farms and third is the trees they planted are dying and need to be replaced. Mr. Ballirano explained that they will have until May 15, 2015 to replace the dying trees and if not they will be placed back on the agenda for another hearing.

**C. File 2014-41**

LOCATION: 12 Teakwood Drive  
OWNER APPLICANT: Victor and Lori Diamantino  
LOT: AP 37 — Lot 107; 10,516 sq. ft.; R-15 Zone  
EXISTING USE: Single Family Dwelling  
PROPOSAL: 14' x 26' addition

**Dimensional Variance** petitioned under Article III § 340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
<b>SETBACKS:</b>	LOT SIZE	15,000 sq ft	10,516 sq ft	4,484 sq ft
	REAR YARD	45'	42'	3'
	RIGHT SIDE YARD	20'	10.85'	9.15'

Mr. Victor Diamantino and Lori Diamantino, applicants, were sworn in and they explained to the board that they would like to build a room over their existing garage for an additional room or bedroom. Their roof is currently leaking at that side of the house and they have replace the boards for the time being so that the leak would stop.

No abutters for or against

Mr. Pilozzi made a motion to approve. Mr. Anzelone seconded. A voice vote was taken; all in favor.

#### **D. File 2014-45**

LOCATION: 20 Miller Circle  
 OWNER APPLICANT: Marsha Cotter  
 LOT: AP 3 — Lot 100; 4,250 sq. ft.; R-15 Zone  
 EXISTING USE: Single Family Dwelling  
 PROPOSAL: Addition to enlarge kitchen/dining area

**Dimensional Variance** petitioned under Article III § 340-9 Table of Dimensional Regulations

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
<b>SETBACKS:</b>	<b>LOT SIZE</b>	<b>15,000 sq ft</b>	<b>4250 sq ft</b>	<b>10,750 sq ft</b>
	<b>LOT FRONTAGE</b>	<b>100'</b>	<b>50'</b>	<b>50'</b>
	<b>LOT WIDTH</b>	<b>100'</b>	<b>50'</b>	<b>50'</b>
	<b>REAR YARD</b>	<b>45'</b>	<b>41.5'</b>	<b>3.5'</b>
	<b>RIGHT SIDE YARD</b>	<b>20'</b>	<b>6.5'</b>	<b>13.5'</b>

Mr. Michael Cotter and Ms. Marsha Cotter, applicants, were sworn in and they explained to the board that they would like to extend their kitchen and eating area. Mr. Cotter explained that his mother lives upstairs from them and him and his wife live on the first floor. So this expansion will just be for elbow room to entertain. Two cars will still be able to park in the driveway comfortably. Mr. Pilozzi verified with Mr. Veltri that the closest abutter is far enough away for this addition and for emergency vehicles to get through. Mr. Pilozzi made it clear to the applicants that the Town Planner's memo stated that this project is not consistent with the comprehensive plan. Mr. Nascenzi explained that there is a new comprehensive plan being introduced by 2016.

No abutters for or against

Mr. Pilozzi made a motion to approve. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Anzelone made a motion to adjourn. Mr. Lopardo seconded. A voice vote was taken; all in favor.

**Adjourn 7:25 p.m.**